

1 VENABLE LLP

2 Sarah S. Brooks (SBN 266292)

3 ssbrooks@venable.com

4 2049 Century Park East, Suite 2300

5 Los Angeles, CA 90067

6 Telephone: (310) 229-9900

7 Facsimile: (310) 229-9901

8 *Counsel for Petitioner Benigno Gonzalez Ponce*

9 BILAL A. ESSAYLI

10 First Assistant United States Attorney

11 DAVID M. HARRIS

12 Assistant United States Attorney Chief, Civil Division

13 DANIEL A. BECK (Cal. Bar No. 204496)

14 Assistant United States Attorney Chief, Complex and Defensive Litigation

15 Federal Building, Suite 7516

16 300 North Los Angeles Street

17 Los Angeles, California 90012 Telephone: (213) 894-8974

18 E-mail: Daniel.Beck@usdoj.gov

19 *Counsel for Respondents*

20 **UNITED STATES DISTRICT COURT**

21 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

22 BENIGNO GONZALEZ PONCE,

23 Petitioner,

24 v.

25 TODD LYONS, Acting Director,
26 Immigration Customs and Enforcement;
27 and ERNESTO SANTACRUZ, JR., Field
28 Office Acting Director for Enforcement
and Removal Operation

Respondents.

Case No. 2:25-cv-10493-AB-PVC

Honorable André Birotte Jr.

**JOINT STATUS REPORT ON
INVIDIDUALIZED BOND
HEARING**

VENABLE LLP
2049 CENTURY PARK EAST, SUITE 2300
LOS ANGELES, CA 90067
310-229-9900

1 Pursuant to this Court’s November 7, 2025 order (Dkt. 10), Counsel for
2 Petitioner Benigno Gonzalez Ponce (“Petitioner”) and Counsel for Respondents
3 Todd Lyons and Ernesto SantaCruz Jr. (collectively “Respondents”) provide the
4 following update on Petitioner’s Court-ordered bond hearing.

5 Petitioner had an individualized bond hearing before IJ Barrett on November
6 14, 2025 whereby IJ Barrett found that Petitioner is not a danger to the United
7 States and has sufficient contacts with the United States such that he is not a flight
8 risk. IJ Barrett ordered Petitioner’s release upon payment of a bond in the amount
9 of \$15,000. (Declaration of Sarah S. Brooks (“Brooks Decl.”), ¶2, Exh A). The
10 government reserved the right to appeal. *Id.* On November 14, 2025, counsel for
11 Petitioner corresponded with counsel for Respondent and asked whether the
12 government intended to appeal the bond decision. (Brooks Decl., ¶3, Exh. B). On
13 November 15, 2025, Counsel for Respondents replied that he does not know
14 whether the government intends to appeal. (Brooks Decl., ¶4, Exh. C).

15 If the government does not appeal, the bond will be paid this week,
16 Petitioner will be released, and Petitioner intends to dismiss his request for a
17 preliminary injunction. However, if the government does appeal, Petitioner intends
18 to ask this Court for a preliminary injunction ordering his release upon payment of
19 the \$15,000 bond since IJ Barrett found that Petitioner is not a danger to the United
20 States and has sufficient contacts with the United States that he is not a flight risk.

21 Respondents’ position is that this Petition is moot regardless of whether the
22 government files any future appeal of the bond hearing order, because Petitioner
23 has already received the bond hearing that his Petition sought and that this Court
24 had ordered. Respondents maintain that the possibility of further review of that
25 bond hearing order up through the BIA and the Ninth Circuit—regardless of
26 whether such review might be sought by Petitioner or by the Respondents—would
27 do nothing to alter the existing mootness of the claim that the Petition had asserted
28 in this habeas proceeding.

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DATED: November 17, 2025

VENABLE LLP

By: /s/ Sarah S. Brooks

Sarah S. Brooks

Counsel for Petitioner Benigno Gonzalez Ponce

DATED: November 17, 2025

By: /s/ Daniel A. Beck

Daniel A. Beck

Assistant United States Attorney

Counsel for Respondents

ATTESTATION

Pursuant to Civ. L.R. 5-4.3.4, the undersigned attests that all other signatories listed, and on whose behalf this filing is submitted, concur in this filing's content and have authorized this filing.

DATED: November 17, 2025 VENABLE LLP

By: /s/ Sarah S. Brooks
Sarah S. Brooks
Counsel for Petitioner Benigno Gonzalez Ponce

VENABLE LLP
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